TITLE 33
ENVIRONMENTAL QUALITY
PART III. Air

Chapter 21. Control of Emission of Organic Compounds

Subchapter F. Gasoline Handling

§2132. Stage II Vapor Recovery Systems for Control of Vehicle Refuelling Emissions at Gasoline Dispensing Facilities

A. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined ~~below~~ as follows:

CARB—California Air Resources Board.

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[See Prior Text]

Stage II Vapor Recovery System—a gasoline vapor recovery system that is CARB approved and recovers vapors during the refueling of motor vehicles.

B. Regulated Sector

1. The provisions of this regulation shall apply in ~~all~~the following parishes ~~designated as moderate or above for ozone nonattainment. These are~~: Ascension, East Baton Rouge, ~~West Baton Rouge,~~ Iberville, Livingston, Pointe Coupee, and ~~Livingston Parishes~~ West Baton Rouge.

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[See Prior Text in B.2-4]

a. ~~F~~facilities for which new construction commenced after November 15, 1990, must comply with these requirements ~~within six months after promulgation of this regulation~~not later than May 20, 1993;

b. ~~F~~facilities constructed before November 15, 1990, which ~~dispense~~have an average monthly throughput rate of 100,000 gallons or more of gasoline per month must comply ~~within one year after promulgation of this regulation~~prior to November 20, 1993;

c. ~~Any~~ facility ~~described in both Subsection B.4.a and b of this Section shall meet the requirements of Subsection B.4.a of this Section~~ies constructed before November

15, 1990, which have an average monthly throughput rate between 10,000 and 100,000 gallons of gasoline per month must comply not later than November 20, 1994; and

d. ~~All other facilities must comply within two years after promulgation of this regulation;~~

e. ~~E~~existing facilities previously exempted from, but which become subject to, the requirements of this regulation shall comply with the requirements of this regulation within one year from the date on which the facility becomes subject.

5. No owner or operator as described in Subsection B.1, 2, and 3 of this Section shall cause or allow the dispensing of motor vehicle fuel at any time unless all fuel dispensing operations are equipped with and utilize a CARB certified vapor recovery system ~~which~~that is properly installed and operated in accordance with the corresponding CARB executive order ~~within guidelines of the National Fire Protection Association (NFPA) 30~~. The vapor recovery equipment must also be installed and operated within the guidelines of the National Fire Protection Association (NFPA) 30. The vapor recovery equipment utilized shall be certified by ~~the California Air Resources Board (~~CARB~~)~~ or equivalent certification authority approved by the administrative authority* to attain a minimum of 95 percent gasoline vapor control efficiency. This certified equipment shall have coaxial hoses and shall not contain remote check valves. In addition, only CARB or equivalent approved aftermarket parts and CARB or equivalent approved rebuilt parts shall be used for installation or replacement use.

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[See Prior Text in B.6-6.a]

b. plans to test for proper operation of the Stage II equipment ~~every five years~~in accordance with Subsection D.1.a of this Section or upon major system modification;

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[See Prior Text in B.6.c-c.ii]

iii. the CARB or equivalent executive order number of the vapor recovery system to be utilized; and

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[See Prior Text in B.6.c.iv-C.2]

D. Testing~~, Labeling and Recordkeeping~~

1. The ~~facility~~ owner/operator of the facility shall ~~maintain the following records, on the facility premises for at least two years, and present them to an authorized representative of~~

~~the Department of Environmental Quality upon request:~~

~~a. application approval records;~~

~~b. station operating license;~~

~~c. system installation and testing results;~~

~~d. Stage II maintenance records. These maintenance records shall include, but not be limited to, daily visual inspections for malfunctions. Such malfunctions shall include:~~

~~i. absence or disconnection of any component required to be used on a certified or equivalent system;~~

~~ii. crimped or flattened vapor hose such that the vapor passage is blocked or restricted;~~

~~iii. torn nozzle boots;~~

~~iv. damaged faceplates or facecones;~~

~~v. malfunction in the nozzle shutoff mechanism; and~~

~~vi. inoperative vacuum producing device;~~

~~e. inspection records;~~

~~f. compliance records;~~

~~g. training certification; and~~

~~h. gasoline throughput records. These shall include, but not be limited to, all monthly gasoline delivery receipts and sales information.~~

~~2. A pressure decay/leak test (San Diego Test Procedure TP-92-1) shall be conducted and successfully passed, initially, after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system, and once every five years thereafter.~~

~~3. A dynamic pressure drop test (San Francisco Bay Area Dynamic Back Pressure Test Procedure ST-27) shall be conducted and successfully passed, initially, after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system, and once every year thereafter.~~

~~4. A liquid blockage test (San Diego Test Procedure TP-91-2) shall be conducted and successfully passed, initially, after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system, and once every five years thereafter.~~

~~5. The test methods used are contained in the Environmental Protection Agency document entitled "Technical Guidance Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities, EPA-450-3-91-022b."~~

~~6. The facility owner/operator shall post operating instructions conspicuously on the front of each gasoline dispensing pump using a Stage II Vapor Recovery System. The instructions shall include:~~

~~a. a clear description of how to correctly dispense gasoline with the vapor recovery nozzles utilized at the site;~~

~~b. a warning that continued attempts at dispensing gasoline after the system indicates that the vehicle tank is full ("topping off") may result in spillage or recirculation of gasoline; and~~

~~c. a telephone number established by the department for use by the public to report comments, questions or problems experienced with the system.~~

~~7. It shall be the responsibility of the owner/operator to have the installed equipment successfully pass the required test (see Subsection D.2, 3, 4, and 5 of this Section) prior to start-up of the facility. The owner or operator of the facility shall notify the department at least five calendar days in advance of the date that the testing is to be performed. The department reserves the right to confirm the results of the aforementioned testing at its discretion and at any time. Within 30 days after installation or major system modification of a vapor recovery system, the owner or operator of the facility shall submit to the department the date of completion of the installation or major system modification of a vapor recovery system and the results of all functional testing requirements.~~

~~8. Any equipment which has been tagged "out of order" by the department shall not be used until it has been repaired or replaced.~~

~~9. Any equipment having a defect, as determined through daily visual inspections or other means, shall be tagged "out of order" by the facility owner or operator and shall not be used until it has been repaired or replaced.~~have the installed vapor recovery equipment tested prior to the start-up of the facility. The owner or operator shall notify the department at least five calendar days in advance of the scheduled date of testing. Testing must be performed by a contractor that is certified with the Department of Environmental Quality. Compliance with the emission specification for Stage II equipment shall be demonstrated by passing the following

required tests or equivalent for each type of system:

a. vapor balance system:

i. a static pressure test (CARB test procedure TP 201.3) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every year thereafter;

ii. a dynamic pressure drop test (San Francisco Bay Area Dynamic Back Pressure Test Procedure ST-27) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every year thereafter; and

iii. a liquid blockage test (San Diego Test Procedure TP-91-2) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every five years thereafter;

b. vacuum assist system:

i. a static pressure test (CARB test procedure TP 201.3) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every year thereafter;

ii. an air to liquid volume ratio test (CARB test procedure TP 201.5) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every year thereafter; and

iii. a liquid blockage test (San Diego Test Procedure TP-91-2) shall be initially conducted and successfully passed after installation of the vapor recovery system and prior to initiating operation of the vapor recovery system and once every five years thereafter.

2. The test methods used are contained in the Environmental Protection Agency document entitled, “Technical Guidance Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities, EPA-450-3-91-022b” and the CARB Stationary Source Test Methods, Volume 2, April 12, 1996, or latest revision.

3. The department reserves the right to confirm the results of the aforementioned testing at its discretion and at any time. Within 30 days after installation or major system modification of a vapor recovery system, the owner or operator of the facility shall submit to the department the date of completion of the installation or major system modification of a vapor recovery system and the results of all functional testing requirements.

E. Labeling. The facility owner/operator shall post operating instructions conspicuously on the front of each gasoline dispensing pump using a Stage II vapor recovery system. The instructions shall include:

1. a clear description of how to correctly dispense gasoline with the vapor recovery nozzles utilized at the site;

2. a warning that continued attempts at dispensing gasoline after the system indicates that the vehicle tank is full ("topping off") may result in spillage or recirculation of gasoline; and

3. a telephone number established by the department for use by the public to report comments, questions, or problems experienced with the system.

F. Inspection

1. The facility owner or operator shall maintain the Stage II vapor recovery system in proper operating condition as specified by the manufacturer and free of defects that could impair the effectiveness of the system, including but not limited to:

a. absence or disconnection of any component required to be used on a certified or equivalent system;

b. crimped or flattened vapor hose such that the vapor passage is blocked or restricted;

c. a nozzle boot that is torn in one or both of the following ways:

i. a triangular-shaped or similar tear more than one-half inch on a side or a hole more than one-half inch in diameter;

ii. a slit more than one inch in length;

d. for balance nozzles a faceplate that is damaged such that the capability to achieve a seal with a fill pipe interface is affected for a total of at least one-fourth of the circumference of the faceplate;

e. for nozzles in vacuum assist type systems, a flexible cone for which a total of at least one-fourth of the cone is damaged or missing;

f. a nozzle shutoff mechanism that malfunctions in any manner;

g. vapor return lines, including such components as swivels, anti-recirculation valves, and underground piping, that malfunction, are blocked, or are restricted such that the pressure drop through the line exceeds by a factor of two or more the value as certified in the approved system;

h. a vapor processing unit that is inoperative;

i. a vacuum producing device that is inoperative;

j. pressure/vacuum valves, vapor check valves, or dry breaks that are inoperative;

k. a vapor guard that is missing or damaged such that a slit from the outer edge of the open end flange to the spout anchor clamp exists or that has an equivalent cumulative damage;

l. any equipment defect that is identified by the department as substantially impairing the effectiveness of the system in reducing refueling vapor emissions; or

m. any gasoline leaks as detected by sight, sound, or smell.

2. The owner or operator shall perform daily inspections and accurately record the results of the inspections.

3. Any equipment having a defect, as determined through daily visual inspections or other means, shall be tagged "out of order" by the facility owner or operator and shall not be used until it has been repaired or replaced.

4. Any equipment that has been tagged "out of order" by the department shall not be used until it has been repaired or replaced.

G. Recordkeeping. The facility owner/operator shall maintain the following records on the facility premises for at least two years and present them to an authorized representative of the department upon request:

1. application approval records;

2. certificate to operate;

3. system installation and testing results;

4. stage II maintenance records, which shall include, but not be limited to, daily

visual inspections for malfunctions;

5. inspection records;

6. compliance records; and

7. training certification.

~~E~~H. Enforcement

1. Enforcement of these regulations, authorized under R.S. 30:2054, shall include, but not be limited to, the following penalties:

a. notices of violation;

b. warnings;

c. cease and desist orders;

d. suspension of license or permit to operate;

e. revocation of license or permit to operate;

f. monetary fines; and

g. "red tagging" equipment to prevent its operation.

2. The administrative authority may consider requests from a small business stationary source for modification of:

a. any work practice or technological method of compliance~~,~~; or

b. the schedule of milestones for implementing such work practice or method of compliance preceding any applicable compliance date, based on the technological and financial capability of any such small business stationary source. No such modification may be granted unless it is in compliance with the applicable requirements of the Louisiana Environmental Quality Act and the Federal Clean Air Act, including the requirements of the applicable implementation plan. Where such applicable requirements are set forth in federal regulations, only modifications authorized in such regulations may be allowed.

~~F~~I. Fees. The fees are defined in LAC 33:III.223.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 18:1254 (November 1992), repromulgated LR 19:46 (January 1993), amended LR